



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Jeffrey Hurst
Regional Director

June 8, 2022

Bristol, Virginia City Council
c/o Mayor Anthony Farnum
300 Lee Street
Bristol, Virginia 24201

Re: Bristol, Virginia Integrated Solid Waste Facility at 2655 Valley Drive, Bristol, VA;
Air Registration No. 11184; Solid Waste Permit No. SWP588; Solid Waste Permit No.
SWP498, and planned July 6, 2022 Plan of Action submittal in response to the Landfill
Expert Panel's April 25, 2022 Recommendations.

Dear Bristol, Virginia City Council Members:

The following is a summary of our discussions from our June 7, 2022 meeting, and is in no way intended to be a final agreement or case decision. On June 7, 2022, the Virginia Department of Environmental Quality ("Department" or "DEQ") met with City of Bristol, Virginia ("City" or "Bristol") staff and your engineering services contractor, SCS Engineers, to discuss the upcoming Plan of Action submittal, due July 6, 2022. During that meeting, we discussed and clarified action items outlined by SCS Engineers that correlate with the April 25, 2022 Expert Panel's recommendations.

Additionally, we discussed potential enforcement options for the City, such as entering into a Consent Order ("Order") with the Department, to resolve previous Notices of Alleged Violation, and bring the City's Integrated Solid Waste Management Facility into compliance with their referenced permits, while integrating and memorializing the recommendations from the April 25, 2022 Expert Panel report. As such, the Department's intentions will be, to incorporate the July 6, 2022 Plan of Action's timelines (once approved) and proposals into any future enforcement action. This however, is predicated on the allowance and consideration of public comments and input provided during the Department's public notice through the enforcement process. Therefore, due to the July 6, 2022 Plan of Action submittal, which is required to inform the development of an Order's schedule of compliance, the Department anticipates a potential fully executed enforcement

action with the City, in August 2022 (at the earliest), taking into account the aforementioned public notice and comment processes.

At present, DEQ understands that the City agrees in principle to entering into an Order and implementing the recommendations set forth within the April 25, 2022 Expert Panel's report, which will additionally incorporate the City's July 6, 2022 Plan of Action. The City has additionally committed to some initial activities and associated timelines that will be incorporated into their July 6, 2022 Plan of Action response. Such additional commitments include, but may not be limited to the following:

1. Installation of the sidewall odor mitigation system within 365 days,
2. Installation of thermocouples in the waste mass within 90 days,
3. To cease the acceptance of offsite commercial/industrial waste in SWP 588 within 90 days, and
4. To install adequate intermediate cover in accordance with the Virginia Solid Waste Management Regulations within 90 days.

The City agrees and understands as the parties continue to negotiate the terms of a future Order it may be required to agree to additional items to comport with the Expert Panel recommendations, the Plan of Action, as well as all associated Permits. DEQ and the City agree to continue to work towards a final agreement and enter into a future final Order to resolve previous Notices of Alleged violation and integrate all Expert Panel recommendations, Plan of Action timelines, and any other requirements.

Please contact me at (276) 676-4804 or Jeffrey.Hurst@deq.virginia.gov should you have any questions or would like to discuss this matter further.

Sincerely,



Jeffrey Hurst
Regional Director, Southwest Regional
Office

cc: Files (Air and Waste)

Via Email Only:

Randall Eads, Bristol, VA- City Manager and City Attorney

Neal Osborne, Bristol, VA – Vice Mayor

Kevin Wingard, Bristol, VA – City Council Member

Bill Hartley, Bristol, VA – City Council Member

Becky Nave, Bristol, VA – City Council Member

Michael Rolband, DEQ Director

Crystal Bazyk, DEQ-SWRO Enforcement and Air

Stacey Bowers, DEQ-SWRO Land

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